

REMARKS

Claims 1-4, 6, 9, 10 and 12 are presented for consideration, with Claim 1 being independent.

Claim 1 has been amended to further distinguish Applicants' invention from the cited art. In addition, Claim 12 has been added to provide an additional scope of protection.

The amendments to the claims were not presented earlier as it was believed that the previously presented claims would be found allowable. It is submitted that the Examiner's familiarity with the subject matter of the present application will allow an appreciation of the significance of the amendments herein without undue expenditure of time and effort. Accordingly, it is submitted that entry of the Amendment is appropriate.

Initially, Claims 1-4, 6, 9 and 10 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being unclear. This rejection is respectfully traversed.

The Office Action asserts that Claim 1 does not clearly set forth structural cooperation between the units for the embodiments comprising more than two units. In response, it is respectfully submitted that Claim 1 does not recite "more than two units." Claim 1 recites a liquid transfer apparatus having a "plurality" of units, with each unit comprising a plurality of elements and being connected to "another" unit. Claim 1, therefore, references a unit connected to another unit, and it is therefore not necessary to provide structural cooperation for more than two units. Of course, Applicants' claims are not limited to only two units. Accordingly, it is submitted that the claims are in full compliance with the particularity and distinctness

requirements of the statute, and therefore reconsideration and withdrawal of the rejection under 35 U.S.C. §112, second paragraph is respectfully requested.

Claims 1-4, 6, 9 and 10 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Anderson '948. This rejection is respectfully traversed.

Claim 1 of Applicants' invention relates to a liquid transfer apparatus having a plurality of units, with each unit comprising a liquid containing section for containing liquid, a liquid introducing section for introducing liquid into the liquid containing section, and a liquid leading out section for leading out the liquid introduced into the liquid containing section. As claimed, the liquid introducing section of one unit and the liquid leading out section of another unit are connected. As amended, Claim 1 recites that each liquid leading out section of each unit has energy application means for applying energy for ejecting the liquid.

Support for the amendments to Claim 1 can be found, for example, in Figure 3 and the corresponding specification beginning on page 16, line 24. In accordance with Applicants' claimed invention, a high performance liquid transfer apparatus can be provided.

The Anderson patent relates to an integrated fluidic system. As shown in Figure 24, a disposable cartridge 2500 includes a reaction chamber 2502 and first and second pneumatic ports 2504 and 2506. Figure 6a shows a plurality of reaction chambers 612, 614 and 616, fluidly connected in series and a vacuum source 602 for ejecting the liquid. In contrast to Applicants' claimed invention, however, Anderson fails to teach or suggest, among other features, each liquid leading out section of each energy unit having energy application means for

applying energy for ejecting the liquid. As understood, in Anderson the fluid is drawn into or ejected from the reaction chambers by the vacuum source.

Accordingly, it is submitted that Anderson fails to anticipate or render obvious Applicants' invention as set forth in Claim 1. Thus, reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. §102 is respectfully requested.

Therefore, it is submitted that Applicants' invention as set forth in independent Claim 1 is patentable over the cited art. In addition, dependent Claims 2-4, 6, 9 and 12 set forth additional features of Applicants' invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Scott D. Malpede/

Scott D. Malpede
Attorney for Applicants
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
SDM/vnm